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**FILED**  
DISTRICT COURT OF GUAM  
NOV - 7 2006  
MARY L.M. MORAN  
CLERK OF COURT

7  
8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE DISTRICT OF GUAM**

10 UNITED STATES OF AMERICA, )  
11 Plaintiff-Appellee, )  
12 v. )  
13 BRIAN WILLIAM ELM, )  
14 Defendant-Appellant. )

CRIMINAL CASE NO. 05-00053-006


**NOTICE OF CROSS-APPEAL**

15  
16 Notice is hereby given that the United States of America, by and through undersigned  
17 counsel, Plaintiff in the above-named case, hereby appeals to the United States Court of Appeals  
18 for the Ninth Circuit, the defendant's final judgment of conviction and sentence imposed on  
19 October 10, 2006.

20 Respectfully submitted this 7<sup>th</sup> day of November, 2006.

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22 LEONARDO M. RAPADAS  
United States Attorney  
23 Districts of Guam and the CNMI

24 By:

  
25 KARON V. JOHNSON  
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